

UNITED STATES BANKRUPTCY COURT

_____ District of _____

In re _____,
Debtor

Case No. _____

Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: _____

Court claim no. (if known): _____

Last four digits of any number
you use to identify the debtor's
account: _____

Date of payment change:
Must be at least 21 days after date of
this notice _____/_____/_____

New total payment: \$ _____
Principal, interest, and escrow, if any

Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?

- ☐ No
- ☐ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: \$ _____

New escrow payment: \$ _____

Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

- ☐ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: _____%

New interest rate: _____%

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?

- ☐ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

- ☐ I am the creditor. ☐ I am the creditor's authorized agent.
(Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

X

Signature

Date ____/____/____

Print:

First Name

Middle Name

Last Name

Title _____

Company

Address

Number

Street

City

State

ZIP Code

Contact phone (____) ____-____

Email _____



September 4, 2014

[REDACTED]
 HOSSEIN REZAIAN
 SHABRAM REZAIAN
 14029 S CANDY PULL DR
 DRAPER UT 84020-7512

RE: Adjustable Rate Loan No.: [REDACTED]

Dear Mortgagor(s):

This notice is to inform you of an interest rate change and/or an adjustment to your principal and interest payment in accordance with your Adjustable Rate Note. These changes are effective with your payment due October 1, 2014.

This adjustment is based on the following factors:

Interest rate change date:

P & I payment change date:

Projected principal balance as of October 1, 2014:

September 1, 2014

October 1, 2014

\$81,243.32

	<u>Current Loan Information</u>	<u>New Loan Information</u>
Index rate	3.250%	3.250%
Margin	5.000%	5.000%
Interest Rate	9.250%	9.250%
Effective # of payments	6	6
Principal & Interest	\$1,580.41	\$1,580.42

Your new interest rate was calculated by adding your margin of 5.000% to the new index rate. Limits on interest rate changes and rounding may have affected your new interest rate.

If applicable, you will receive an escrow disclosure statement approximately two weeks prior to October 1, 2014. If you have your payment automatically drafted from your deposit account, the draft amount will change in accordance with the new P & I payment and effective date referenced above. Please contact our Customer Service Department at 1-800-724-2224 if you have any questions regarding this notice.

Sincerely,

Jill M. Gilliland
 Special Products Manager
 Retail Servicing

M&T Bank is attempting to collect a debt and any information obtained will be used for that purpose. If you are in bankruptcy or received a bankruptcy discharge of this debt, this communication is not an attempt to collect the debt against you personally, but is notice of a possible enforcement of the lien against the collateral property.

CERTIFICATE OF SERVICE

I, Amanda S. Koczwara, declare that:

I am employed in the County of San Diego, California. My business address is 4375 Jutland Drive, Suite 200; P.O. Box 17933, San Diego, CA 92177-0933. I am over the age of 18 years and not a party to this cause.

On September 10, 2014 I caused the Notice of Mortgage Payment Change by placing a true copy thereof in an envelope with postage thereon fully prepaid in the United States Mail at San Diego, California and/or via electronic means pursuant to Local Bankruptcy Rule 5005-2 as follows:

Justin O. Burton
Rulon T. Burton & Assoc.
6000 South Fashion Blvd.
Murray, UT 84107
jeff@rulontburton.com

Hossein Rezaian
Afagh Mohammadreza
14029 So. Candy Pull Drive
Draper, UT 84020

Kevin R. Anderson
405 South Main Street
Suite 600
Salt Lake City, UT 84111
kanderson@ch13kra.com

Shabram Rezaian
4659 S State St
Murray, UT 84107

Department of Justice
District of Utah - Salt Lake City
Ken Garff Bldg.
405 South Main Street
Ste 300
Salt Lake City, UT 84111
USTPRegion19.SK.ECF@usdoj.gov

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 10, 2014

/s/Amanda S. Koczwara
AMANDA S. KOCZWARA